## THE COURTS.

Conclusion of the Kemble-Dana Libel Suit.

THE JURY DISAGREE.

Necessity for Banks To Be Careful in Certifying Checks.

A City Gas Bill Ordered To Be Paid.

A Deputy Custom House Collector Indicted and Arrested.

The Metropolitan Gas Light Company claims that the city is indebted to it in the sum of \$100,-100 for lighting street lamps and have brought suit to recover this amount. A motion was made resterday in Supreme Court, Chambers, before Judge Lawrence, for leave to amend the complaint by setting up a tender of \$155,000 in payment of the claim. The motion was opposed on the ground that the money should be brought into court, ludge Lawrence took the papers, reserving his faculty.

Judge Lawrence, in Supreme Court, Chambe granted yesterday a temporary injunction against Charles Shay, George Callun and Francis B. Mur-tha, proprietors of the Globe Theatre, restraining om giving any performance until payment of their license fees. As in previous cases of this kind the application was made on behalf of the Society for the Reformation of Juvenile Definquents.

THE KEMBLE-DANA LIBEL SUIT. The libel suit of William H. Kemble, ex-Treasurer

Pennsylvania, against Charles A. Dana, \$50,000 damages, on account of an alleged libel published in the New York Sun of March 15, 1872, was resumed yesterday before Judge Curtis, of the Superior Court. There was a much larger attendance toan on the first day of the trial. Mr. Kem-ble, the prosecutor, was promptly in attendance, accompanied by his counsel. Mesers. Cottman, Eccelsine and Wheeler H. Peckham. The delend-ant was represented by William O. Bartlett and

Willard Partiett.
Yesterday's proceedings were opened on the part of the plaintiff, whose counsel introduced further testimony to prove the good character of Mr. Kemble. Among the witnesses called for this purpose were Mayor Stokley, of Philadelphia; Charles W. Brooke, a lawyer of this city, and J. L. Charles W. Brooke, a lawyer of this city, and J. L. Tobias. Mr. Jos. D. Ecceisine testified that he had made a thorough search among the newspaper offices in Philadelphia for the original of the so-called "addition, division and silence" letter, but had been unable to find it. Mr. Peckham then offered to put in the sworn copy of the letter, and agon such offering quite an argument ensued. It was claimed that the lost letter was not to be regarded upon the question of its reception as secondary evidence in the same light as more important instruments, which, from the nature of the case, would be likely to be carefully preserved. The sworn copy of the letter was finally excluded. An offer was then made on behalf of the prosecution to put in evidence several subsethe prosecution to put in evidence several subsc-quent articles published in the Sun, and claimed to be a repetition of the libel forming the basis of the present suit. The Court refused their admisthat portion of the Message of Governor Geary to the Legislature of Pennsylvania embodying his recommendation of the appointment of George C. Evans as agent for the collection of war claims. Objection was made a putting in any portion of the Message as put in. Mr. eartiett declined to put in the entire Message, and the result was that no portion of it was substituted. This concluded the testimony on both

mitted. This concluded the testimony on both sides.

Mr. William O. Bartlett now proceeded to sum up for the desence. He took as the basts of his address to the jury the State constitution of New York, giving to every citizen the right to utter his sentiments upon all subjects, especially that plants that "no law shall be passed to soridge the incerty of the press." He referred to other State sonstitutions as giving the same freedom to the press, and claimed that when you larrings on this freedom you iniringe on the liberties of the people. He spoke at length and most sarnestly on this subject, and then after reviewing the ground work of the present suit and the testimony offered applied the principles laid sown in his opening remarks to the delendant, and showed, as he insisted, that the latter in no respect exceeded in the publication of the aliered libel the treedom vouchsaled to the press.

Mr. Peckham spoke in an equally impassioned

spect exceeded in the publication of the alicered libel the ireedom wouthsaied to the press.

Mr. Peckham spoke in an equally impassioned strain on behalf of the presecution. He contended that the publication in question was a wanton and atrocious libel, that it had brought his chent into disrepute, and that unless a verdet was given in his favor he would continue to be the object of continuely and acorn. In the course of his remarks he was interrupted by Mr. Bartlett on account of the severity of his strictures upon the defendant and quite a war of words ensued between the two.

A more clear, impartial and forcible charge seldom has been uttered from the Bench than that given by Judge Gurtis. The law of libel was most clearly defined. He showed that malice is essential to make a libel, and instructed the jury that while no evidence had been given showing malice or ill will on the part of the de endant or special damage sustained by the prosecutor they are to take into consideration all the circumstances and surroundinus of the case, and upon hiese facts give their verdict. If the alleged libelious statements were true then they must find for the plaintiff. If they should come to the latter conclusion they must then consideration of this question they must then consider the question of damages, and in the consideration of this question, but as already stated take into account all the circumstances of the respective parties.

The jury retired at hali-past four o'clock, when the jury saling to appear with a verdict, the Judge left the court room for a time and returned to his seat a few minutes before nine o'clock, when the jury sers summoned. They reported a disagreement, and, as Judge Curtis became satisfied that they could not possibly come to a unanimous conclusion in the premises, he discharged them and then adjourned the court.

It is understood that when the jury retired to deliberate they stood four for the plaintiff and elight for the delendant, and when they returned to the court room the jury stood six

INTERESTING RAISED CHECK CASE. The Mutual National Bank of Troy gave a check on the Park Bank of this city for \$44 25, the same being drawn to the order of P. F. Gill. The check was raised to \$710 25 and the name of B. Gay substituted for that of Gill. The Park Bank cer-ified the check, the holder deposited it in the Equitable Savings Institution, which deposited it Equitable Savings Institution, which deposited it in the German-American Bank, which draw the money from the Park Bank. Suit was brought by the last named bank against the German-American Bank for the sum paid in excess of the original check. The trial of the case began yesterday in the Court of Common Pleas before Judge J. F. Daly. The question raised is as to whether the jertificate is a valid one or not, or whether it only settlified to the signature being genuine and there seing funds in the bank to meet it. A verdict was given or \$853 58 for the plaintific, thus showing that in cases of raised checks the bank paying the money is accountable for the entire sum thus paid.

A DEPUTY COLLECTOR INDICTED. As intimated in the HERALD yesterday, one of the two indictments presented by the Grand Jury in the Cnited States Circuit Court, before Judge Blatchford, on Wednesday morning, was against a party implicated in the late smuggling cases. The indictment strikes at an important official in the Revenue Department, Colonel Robert De Anges, Deputy Collector for the Third division, who is im-plicated in the Ball smuggling case, the particulars of which have already been fully reported. The on which he has been indicted is to the effect that in the month of January last he, in his official cain the month of January last he, in his official capacity, selected from an importation, principally
composed of silks, a case of hosiery, which he sent
to the Appraiser's office to be examined for the
purpose of deception and misteading the appraisers and the Custom House authorities as to the
real value of the importation and of which this
particular case of hosiery was to be taken as a
sample of the whole, which, as stated, was principally an importation of silks, with deliberate intent to derrand the government.

The accused yesterday presented himself before
United States District Attorney Bliss and inquired
of that official if it was true that he had been in-

dicteons had been hinted to him. The District Attory informed him that there was an indictment fund against him on the charge stated, where you had a noticer was at once summoned and Denges given lato his charge. He subsequentligave ball in the sum of 510,000, the names of his greates being withheld for the present by the District Attorney. The Custom House authoritis are quietly at work, moving in the matter sloty but surely, and they hope to succeed in breastis up a system of Iraud against the revenue which is for a long time ocen countwed at by some othe salarized officials of the government, and wise duty it was to protect the government, and wise duty it was to protect the government, and noto and in serious offences against it.

The dvelopments to be made in the case are expectif to be not only important, but extremely interesing to the public and the mercantile community It is hinted that other officials of the New Yex Custom House are implicated in these nesands operations, and when the entire scheme of opesitions is laid bare it will be found that the extent of these samuggling acts will astonish even those perchants who have been made sufferers throug the market being undersoid, while the loss office government in its derranded customs will, its expected, reach a large amount.

SUPRIME COURT-CIRCUIT-PART 2.

VERDICT FOR THE CITY. Those Hushian brought suit against the city to recover \$1,000 for services in indexing natural-ization in the Marine Court. On the trial yesterday the defence interposed on behalf of the city was that the alleged services had never been rendered. The answer to this was these the Board of Superviors audited and allowed the bill. Judge Van Brint held that the Board had no authority to allow the same, and on account of a failure to prove that the alleged services were rendered a judgment was given in layor of the city.

COMMON PLEAS-TRIAL TERM-PART 1. Before Judge Larremore.

Leorard Johnson obtained a contract from the city for constructing a sewer, and brought suit to recover \$11,000 alleged to be due him on the contract. All the ciaim was admitted except \$1,344, lees pad to the inspector in excess of the time fixed by contract. The evidence showed that but \$77 was pad for such overtime, and, deducting that amount, the Court directed a verdict for the plaintiff for the balance.

DECISIONS.

SUPREME COURT—CRAMBERS.

By Judge Lawrence.

Cadwaiader vs. Lippincott; Maplesden vs.
Demarist; Phonix National Bank vs. Ross;
Bloomisgdale vs. Vanderberg; Beach vs. Smith;
Waddel vs. Kenyon; In the matter of Reywood.—

Grantel.

May rs. Davis.—Motion granted so far as to allow he opening of the default and granting leave to the default and granting leave to the defendant to answer on payment of costs of motion.

Bateavs. Bates.—Memorandum for counsel.

Rutherford vs. White.—Motion denied with \$10

costs.
Plattva, Valentins.—Motion to strike out part
of answer as irrelevant granted, with \$10 costs,
Globe insurance Company vs. Siass.—Memoran-

SUPERIOR COURT—SPECIAL TERM.

By Judge bedgwick.

Groths vs Grothe.—Motion denieds
Wilkebarre Savings Bank vs. Shing et al.—Motion denied, 510 coats to abide event.

Germania Bank vs. Frost.—Motion denied, \$10 costs to abide event.

Eitel vs. Bracken et al.—Motion denied, without prejudice to further motion if further proceedings

COMMON PLEAS—SPECIAL TERM.

By Judge Robinson.

Trebriand vs. Collis.—Judgment for plaintiff on account of frivolonaness of answer.

Kramer vs. Wicker.—Motion granted, with \$10 costs, inless plaintiff cause sureties to justify and pay the \$10 costs.

Cohlman vs. Saonse.—Motion denied, with \$10 costs.

COURT OF GENERAL SESSIONS.

HOTEL THIEF SENT TO PRISON. In the Court of General Sessions, before Recorder Hackett, yesteriay, William H. Brown, alias W. Barnes, pleaded guilty to an indictment charging him with stealing, on the 24th ult., a value containing wearing apparel and two drafts, the aggregate value of which was \$558 50, the property of Abraham Levering, a guest of the St. Nicholas Hotel. His Honor, in passing sentence, said he understood the prisoner had the reputation of being a notorious hotel thief. He was sent to the State Prison for four years and six months.

PLEAS OF GUILT. Bernard Rudson pleaded gullty to grand lar-ceny, the allegation being that on the eth of De-cember he stole a gold watch and chain, valued at \$216, the property of William D. Allen. He was sent to the State Prison for four years and six

months.

Rebert E. Williams, who, on the 11th of January, stols a watch and chain, valued at \$75, the property of Hugo Schmelz, pleaded guilty to an attempt at grand larceny. He was sent to the State Prison for two years and six months.

Annie Parham, a colored servant, in the employ of Mrs. Emma J. Mason, residing at No. 188 East Sixty-first street, was tried upon a charge of steal-ing stockings, handkerchiefs and a tidy. The last named article was found in the prisoner's trunk at her mother's house. She was sent to the Peniten-tiary for six months.

John Kane was tried upon a charge of attempting to steal an overcost, belonging to Edward N. Bond, from a table in the Flith Avenue Hotel, on the 22d of January. The complainant swore that he believed him to be the man; that he was almost positive of it. The prisoner swore that he was arrested on suspicion of stealing a man's watch and \$19 in Grand sirest. The police officer who arrested the man, who was caught in the act of stealing Mr. Bond's overcoat, testined that the prisoner Kane was not the man. The jury rendered a verdict of not guilty.

A DISHONEST FAMILY.

Horace Marks and Jacob and Lewis, his two lit-Horace Marks and Jacob and Lewis, his two lit-tie sons, were tried upon an indictment for grand larceny and receiving stolen goods. The proof ad-duced by the prosecution was that on the after-noon of the 11th ult. the boys broke a pane of glass in the pawnshop of Phillip Goldstein, No. 167 Clinton street, and abstracted two rings, valued at \$30, which they gave to their father, who, a at \$30, which they gave to their father, who, a week afterward, sold them at a second hand store in Market street for \$7. The officer who made the arrest testified that the boys admitted they took the rings from Goldstein's window and having told their father where they got them. A large number of witnesses, including the prisoners, were called by the counsel for the defence, and the case occupied considerable time. The Recorder, in charging the jury, said it was a sorrowful spectacle to see so many witnesses deliberately commit willing perjury, as had been done in this case, and that it was their province to decide whether the witnesses for the prosecution or those for the delence told the truth. The jury convicted the boys of petit larceny and the father of receiving stolen goods, coupled with a recommendation to mercy. The children were sent to the House of Refuge and the father was remanded for sentence.

THEER PRIVATE WATCHMEN ACQUITTED.

Hugh-Nelson, William Carey and James Bennett,

Hugh-Nelson, William Carey and James Bennett. all private watchmen, were charged with burglarbrowery in Warren street on the 7th of last month. It was clearly shown that the accused were authorized by the watchman of the premises to go into the office to warm themselves on the night in question. They were accordingly honorably accustics.

## TOMBS POLICE COURT. Before Judge Smith.

HELD FOR ROBBERT.
While Mr. John Rud, of No. 42 Oak street, was walking through Madison street on New Year's night, he was assaulted by six rumans, who robbed him of \$59 in money. The thieves remained at large until Wednesday lass, when one of them, named Andrew White, was arrested by the police of the Fourth precinct. He was brought up at the Tomus Police Court yesterday, and held by Justice Smith in delault of \$1,500 ball to answer.

omas Plunkett, driver of an express wagon, undertook to deliver a package of woollen goods, on the 1st inst., to Rachel Gitsey, No. 367 First avenue, and lost them, as be claimed. A sew days later a portion of the goods were found in the possession of a boy named George Hill, who said he found them in the street. His explanation was not satisfactory to the Court, and he was held for trial in \$500 ball.

A STORY ABOUT A BIBLE young girl, nineteen years of age, named aboth Pells, applied to the Court for a warrant for the arrest of a lawyer, named Joseph C. Asb-ley, on a charge of larceny. Her atory, a very affecting one, was that about ten years ago, after the death of her mother, her father sent her to the Juvenile Asylum. Having spent a year therein apprenticed out to him. She remained with him at his place in Newark, corner of Monmouth and Spruce streets, only a lew months when she rin away, and has since lived in this city with her orother. White with Ashley she recognized the Bible he had as her mother's, and he admitted the fact. A few weeks ago she applied to him for it, but he refused until she had first paid him \$20 which he had given toward the burial of her father, who had died in Bellevue Hospital. She then went to Brillevue and ascertained that her father had been buried by the Commissioners of Charities. They, on ocing informed of Ashley's conduct, sent for the Bible to his office, at 1,322 Third avenue. He said his wile had mislaid it, and he would send it down the following day. He has not done so since, and the young girl wished the Court to compel its delivery to her. A summons was issued, but the officer of the Court, in whose hands it was placed, inside to find Mr. Ashley, and so reported to the Court. The incentive was not sufficient, propably, or the officer would have lound the gentleman, who practises in this city somewhere.

A SERIOUS MISTARE,

On Monday last a hack driver, named Patrick
Duffy, was committed at this Court for trial at
the General Bessions on a charge of stealing a gold
watch and chain and an oroid watch, in all valued
at \$250, from Michael McGrath, a liquor dealer of
the Nineteenth ward. McGrath, it appears, got
very drunk down town, and a friend, named
Kearney, who accompanied him was not in a
much better condition. Mr. Hugnes, a saloon
keeper in New atreet, in whose place they drank,
leared that McGrath would be roobed and took
from him the gold watch and chain, leaving upon
his person the oroid watch. When McGrath arrived home he discovered his loss and caused the
hack driver's arrest, who thereupon searched in
the hack and found the oroid watch, which he
returned. This was considered by McGrath and
Kearney conclusive evidence of his guilt. They
were disabused of this idea yesterday by Hugnes,
who returned to this city for the first time since
the alleged larceny look place. The result will
probably be a suit for faise imprisonment and
damages. Duffy is now in the Tombs. A SERIOUS MISTAKE,

COURT CALENDARS-THIS DAY.

SUPREME COURT—SPECIAL TERM—Held by Judge Van Brunt,—Demurrers—Nos. 19, 4, 5, 9, 11. Issues of law and fact—Nos. 122, 78, 123, 127, 131, 132, 137, 138, 149, 154, 155, 156, 157, 153, 74, 1, 6, 48, 60, 163, 164, 165.

BUPREME COURT—CIRCUIT—Part 2—Held by Judge Van Brunt.—Short causes—Nos. 1778. 1636, 1856, 1856, 1858, 1866, 1869, 1869, 1864, 1869, 1864, 1862, 2064, 1784, 2128, 2018, 1870, 1864, 2322, 1470. Part 3—Held by Judge Dononue.—Short causes—Nos. 1649, 2181, 1868, 1475, 1653, 1893, 2081, 2165, 2167, 1975, 2045, 2025, 2265, 2267, 2381, 2279, 2297, 2357.

SUPERIOR COURT—TRIAL TERM—Part 1—Reid by Judge Speir.—Nos. 97, 653, 1710, 583, 753, 714, 721, 187, 359, 847, 837, 851, 833, 853, 869. Part 2—Heid by Judge Curtis.—Nos. 694, 846, 874, 656, 584, 812, 898, 100, 904, 864, 908, 912, 914, 918, 802. COMMON PLEAS-EQUITY TERM-Held by Judge Loew. -Nos. 22, 88.

COMMON PLEAS—EQUITY TERM—Held by Judge Loew.—Nos. 22, 85.

COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge Larremore.—Nos. 1184, 1098, 2614. 7055; 112, 1293, 720, 748, 1262, 95, 1154, 2099, 1097, 1186, 650, 1023, 1165, 1215, 1262, 182, Part 2—Held by Judge Jr. Dally.—Nos. 2178, 1301, 1276, 1300, 1230, 1230, 1287, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315.

MARINE COURT—TRIAL TERM—Part 1—Held by Judge Shea.—Nos. 1247, 282, 1115, 1292, 1460, 1685, 960, 1415, 2617, 1457, 1460, 997, 1365, 2319, 1472. Part 2—Held by Judge Alker.—Nos. 1412, 937, 1423, 1433, 2225, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1483, 1486, 1487. Part 3—Held by Judge McAdam.—Nos. 1442, 5279, 414, 503, 1813, 2335, 2618, 2621, 2638, 2686, 2749, 2324, 2633, 2840, 1473, 1474.

COURT OF GENERAL SESSIONS—Held by Judge Hackett.—The People vs. Siven Oisan, ielonious assault and battery; Same vs. Homos Dempsey, felonious assault and battery; Same vs. Homos Dempsey, felonious assault and battery; Same vs. Hogh Casey, ielonious assault and battery; Same vs. Hogh Casey, ielonious assault and battery; Same vs. Robert Cromite, felonious assault and battery; Same vs. Hogh Casey, ielonious assault and battery; Same vs. Robert Cromite, felonious assault and battery; Same vs. Hogh Casey, ielonious assault and battery; Same vs. Hogh Casey, ielonious assault and battery; Same vs. Hogh Casey, ielonious assault and battery; Same vs. James Carr, robbery; Same vs. Margaret Phalon, grand larceny; Same vs. Alonico Jones and Sopbia Johnson, grand larceny; Same vs. Alonico Jones and Sopbia Johnson, grand larceny; Same vs. Alonico Jones and Sopbia Johnson, grand larceny; Same vs. James Smith, petit larceny; Same vs. James Robinson and Aluert Regan, burglary.

COURT OF APPEALS.

ALBANY, Feb. 4, 1875. Joseph Guillard, Jr., et al., appellants.—Argument resumed and conducted oy George H. Porster, of counsel for appellants, and Samuel Hand for respondent. (In yesterday's report of this case the names of the counsel were reversed through mistake.)

No. 103. John Howes, respondent, vs. Henry J.

Robinson, sppellant.—Submitted.

No. 297. Ferdinand Bleischofsky, plaintiff in error, vs. The People, &c., defendants in error.—

Submitted.

error, vs. the reopie, ac., oteradants in error.—
submitted.
No. 106. Charles C. Reed, et al., respondents, vs.
Samuel T. Keese, et al., impleaded, &c., appellants.—Argued by Mr. Perry, of counsel for appellant, and by Charles H. Winfield for respondent.
No. 25. Charlotte A. Fiske, administratrix, &c., et al., respondents, vs. Henry C. Fiske, impleaded, &c., appellant.—Argued by George F. Daniortn, of counsel for appellants, and by Myron H. Peck for respondent.

respondent.
Adjourned to February 5, 1875.
CALENDAR.
The following is the day calendar for February 5:—Nos. 94, 88, 89, 10, 12, 47, 58, 77.

ASSAULT WITH A BOTTLE.

SKULL FRACTURED-ANTE-MOBIEM STATEMENT. Yesterday atternoon Coroner Croker received a telegraphic despatch from the Nineteenth pre-cinct stating that his presence was required at the Presbyterian Hospital to take the ante-mor-tem statement of Thomas Riley, who was suffertem statement of Thomas Riley, who was suffering from iracture of the skull in consequence of having been struck on the head with a bottle. It appears that at nine o'clock on Wednesday evening, Riley, who lives near the corner of Seventy-fourin street and avenue A, and Thomas Fox, of the same place, had a quarrel after returning from a funeral during which, it is alleged, Fox selzed a sods water bottle, with which he dealt Riley a powerful blow on the left side of the head, thus causing a fracture of the skull.

CORONERS' CASES.

On Wednesday evening Mrs. Julia Geary, sixty years of age and born in Ireland, who was blind in one eye and could not see well with the other, attempted to pass from the roof of her residence, No. 7 Madison street, through the scuttle of the adjoining house (No. 3), when she fell off and was so severely injured that she died soon afterward. Coroner Kessier was notified.

A colored woman, flity years of age, whose name

is unknown, on Wednesday evening was found in the water lost of Fifty-ninth street, North River. She was heard to scream by a citizen, who notified

the water joint of Sitty-ninth street, North River. Some was heard to scream by a citizen, who notified of the form of the first precinct of the locality of the locality

## THE BOARD OF APPORTIONMENT.

A Field Day in the Board Yesterday.

MR. GREEN AS A LOBBYIST.

The Comptroller and the Commissioner of Public Works Face to Pace.

MAYOR'S VICTORY.

The meeting of the Board of Apportionment yes-terday was the liveliest meeting that has been held for some time. The first part of the session was devoted to routine business, such as trans-ferring \$6,000 16 from one fund to another for the Sealth Board, and laying over for future consideration the application of the Charity Commissioners to be allowed to use \$2,900 balance of an old frat oe anowed to use \$2,000 blance of an old fund for the erection of hand elevators in Believue Hospital. A resolution to authorize the Comp-troller to issue \$100,000 Natural History stock, be-ing the balance of the \$200,000 authorized last No-vember, was laid over. The application of the Commissioner of Public Works that an issue of bonds for sawer repairs to the amount of \$50,000 should be authorized by the

Board, which application was read at the meeting on Wednesday, was the occasion for the exciting scenes which afterward marked the proceedings, and during which, as will be seen, Mr. Green and application of the Commissioner Mr. Green said:

Mr. Mayor, I consider that the expense for the repairing of sewers is a part of the current household expenses of the city, to be paid for out of taxation and not by the issue of bonds. The effect of issuing bonds the issue of bonds. The effect of issuing bonds for this purpose gives the Commissioner of Public Works the right to spend \$100,000 a year in addition to the sum provided for his department in the Tax Levy. He has \$75,000 already for 1875 for sewer repairs, and I deem that amount quite sum-

A LIVELY PIGHT. The Mayor at this point sent for Commissioner Van Nort, who, on arriving, was informed of the stand taken by the Comptroller as to the issue of

Mr. VAN NORT said :- The Department of Public Works have \$75,000 for sewer repairs; but this is for ordinary repairs. By a law of 1872 an issue of bonds not to exceed \$100,000 in any one year was authorized for extraordinary repairs. There is a contract for cleaning the basins at \$45,000 a year, and that has to come out of the \$75,000. The law auand that has to come out of the \$75,000. The law authorizing this expenditure was in existence when I went into office. Now, out of that \$75,000, besides the \$43,000 for the contract mentioned, \$11,500 is expended for clearing sewers, and for the pay of mechanics and others by days' work who do the needed repairing. \$14,500, which, you will perceive, leaves a very smail margin for extraordinary repairs and other work that is necessary in connection with the that \$50,000 in bonds is based on chapter 220 of the Laws or 1871. (Mr. Van Nort here read the

law.)
The Mayor—Is the demand immediate for this

money?

Mr. Van Nonr-We are working now, and good deal of work on the sewers can be done during the present kind of weather. Out of the \$75,000 we will not have left over \$1,000 to \$2,000. Mr. Green-Now let me read a lew of the oulls for what are called extraordinary repairs. Here's one for \$15. another for \$33, another for \$116. The Comptroller here read of the items and then continued:—I contend that the law referred to ought to be paid for out of taxation and not by issuing bonds. My object in opposing this issuing of bonds is to adjust this matter about the work

Board is not conged under the taw to have bonds.

The MAYOR—Well, now, I ccarcely think the law in terming the work to be done as "material" contemplates such work as that which coars \$15 for repairing a culvert. Certainly that can't be "extraordinary" work.

Mr. Van Nort—I submit that the men who do these repairs are men who do the work not by contract, but who are sent here and there to do whatever repairing is deemed necessary. They are a gang who are on the payroll.

The MAYOR—That item of \$33 could not have been paid for a very extraordinary repair. Mr. Van Nont—With all due respect to Your Honor, I repeat that I have submitted a resolution that is based on the law, and I think the Commissioner of Public Works ought to be allowed some discretion in defining the work he is obliged to have done.

ALL ABOUT A CONTRACT.

Mr. GREEN—When I came into omce I found this \$48,000 contract made by one William M. Tweed.

The MATOR—Mr. Tweed was the Commissioner of Public Works when he made the contract, I pre-

of Public works when he made the contract, I presume?

Mr. Green, appearing not to notice the Mayor's interruption, continued:—A contract, sir, between Forbes and—

The Mayor.—Entered into by Mr. Tweed when he was Commissioner of Public Works, was it not?

Mr. Green (obstinately)—A contract which, I think, is inf—

The Mayor (half rising in his chair and assuming an air of severity)—Was that contract made by Mr. Tweed as the Commissioner of Public Works? That's what you mean, don't you?

Mr. Green—Yes, sir, yes; On yes; I believe he was; yes, he was.

The Mayor (dryly)—Well, that's what I wanted to know. I was asking the Comptroller for information.

to know. I was asking the Comptroller for information.

Mr. Green—That contract was a gross fraud. I desired to get rid of and resisted payment of claims under it; but after the present Commission came into office a law was passed, at the tail end of which were a few lines which declared all contracts then existing between the Department of Public Works and contractors valid. I don't want here to say anything about how that part of the law was brought about—by what singular means an act disastrous to the city's interests was confirmed by an act of the Legislature.

The Mayor—It was, I dare say, brought about by a rivairy of interests, and is, in my view of it, another illustration of the evil effects of heads of departments going to Albany to infuence legislation for their own departments or against other departments.

departments going to Albany to influence legislation for their own departments or against other
departments.

A HEAVY BLOW AGAINST GREEN.

Mr. GREEN—I recognize the force of Your Honor's
view of the evil effects of heads of departments
soboying at Albany, but I forebore saying anytoing about that matter in speaking of this law,
and I regret that mention has been made of it. I
submit, nowever, that we are fortified and
strengthened in our good intentions now by the
disasters which you see follow two or three lines
stuck into a law like the one freierred to.
Mr. Van Nort, flushed with anger and with his
eyes flashing fire, sprang to his feet and exclaimed:—In regard to the auestion of going to
Albany to influence legislation I have a few words
to say. There are no two men, I think, who know
more about the subject than Mr. Green and myself; for, while a subordinate of his for thirteen
years in the Department of Parks, under his instructions I went to Albany every year when the
Legislature was in session on "business for his
bonefil."

Mr. Van Nort turned toward Mr. Green as he ut-

Extractions I went to Aloany every year when the Legislature was in session on "business for his benefit."

Mr. Van Nort turned toward Mr. Green as he uttered these words, which, it is needless to state, created the livelest excitement among the members of the Board. As for Mr. Green the blood russed to his lace, and although he tried to seem indifferent his looks betrayed him.

After a bause Mr. Van Nort went on to state that he had tried to get rid of the \$48,000 contract, but failed, although he had been able to get rid of others he deemed bad. He then added:—As the contract stood the Comptroller relused to pay, and I say here it was I wno asked to have those lines put into the law. I was nu willing that the health of this city should be endangered because of a quibble over a contract. I took the responsibility of doing what I did for the benent of the city. I am not askinged of anything I do. As to the contract I will say that since it was made over one thousand new basins have been built, and I think the contractor would be very glad to be relieved of the contract.

The Comprisollers then offered the following:—

The Footwad, That the President of the Board of Aldermen be, and is hereby requested, to report to this Board the number and description of street improvemens that have been authorized by ordinances of said Board since January I, 1875, and also whether the same were petitioned for the each case by the owners of the property subject to assessment therefor, with the names of the petitioners, and I not so petitioned for designate such works as have been authorized without the application of the property owners; and also what ordinances have here to be readed and whether the same were applied for by a majority or any of the property owners on the for by a majority or any of the property owners on the for by a majority or any of the property owners on the

ine of such improvement and what would be the probable cost of executing the same.

The Mayon—What has this Board got to do with that subject?

Air. Grann—It bears directly on the subject of the issue of bonds. The President of the Board of Aldermen the other day offered a resolution saking me to furnish—

The Mayon (laughing)—Then the resolution you now offer is in retaliation, is it?

Mr. Lewis—I don't take it so. I hope it will be passed. All the information I can give I will give cheerfully.

cheerfully.

The Mayon—Why not draw up a resolution asking the Board of Aldermen for the information?

Mr. Grann—I don't think that's the way it ought to be drawn up. I need the information asked for to make my answer complete to the resolution of the President of the Board of Alderman.

The resolution was then adopted. It is as follows:—

FOR THE DEPARTMENT OF PUBLIC PAR 1 1672 5,447.272 30 ock issued in 1875 588,000 00 ock issued in 1874 1.075,000 00 

whereas the Comptroller has been required by if the supreme Court to raise moneys to pay the ea of opening and acquiring title to lands to ards, streets, parks and public parks and avenues.

stant necessity for the movement of persons and property.

The MAYOR—You ask for information in this resolution in relation to the work done by contract or by Gay's work, &c., without some legislative authority. Has the Board of Aldermen the sole authority. Has the Board of Aldermen the sole authority to open streets?

Mr. Green—It does not rest entirely with them. The MAYOR—Who else has?

Mr. Green—It does not rest entirely with them. The MAYOR—Who has the authority to open streets besides?

The Comptroller then intimated that the Commissioner of Public Works in certain cases claimed exclusive sutbority, and then explained how the opening, &c., of streets below Fifty-ninth street under another. After considerable further talk on the subject the Mayor ruled the resolution out of order, on the ground that the subject matter of it was a subject the Board had noming to do with Mr. Green appealed from the decision of the Chair, but the ruling of the Chair was sustained, Mr. Green voting against it. The Board then adjourned. It may be stated that the transiers published in the Heally yesterday of moneys to certain charitable institutions were made.

CHAMBER OF COMMERCE.

STATE CANALS AND NEW YORK HARBOR. The regular monthly meeting of the Chamber of Commerce was held at the rooms, No. 63 William A Test BROADWAY, CORNER FOURTH STREET.—

A Test BROADWAY, CORNER FOURTH STREET.—

A Liberal advances on Diamonda, Watches, Jewelry, Commerce was held at the rooms, No. 63 William street, yesterday afternoon, President William E. Dodge in the chair. Following the usual preliminary business Mr. Solon Humphreys, chairman of the Executive Committee, reported the nomination of the following gentlemen for memoership:—Myron H. Chapin, Charles P. Cooper, William H. Davis, Jacob W. Decastro, Frederick W. Devoc, William A. Gellatiy, Moses G. Hannuer, Frank W. Hurtt, Richard A. McCurdy, Charles Mayer, Simon Mayer, J. Seaver Page, Henry L. Pierson, Jr., and Albert S. Roe. These gentlemen were unanimously elected.

were unanimously elected.

Mr. Humphreys further reported the following resolution in reference to the proposed amend-ments to the Arbitration act, which was

adopted:—
Resolved, That Messrs William E. Dodge, Samuel D. Baucock, Elliott F. Shepard, Joseph Selisman, Jackson S. Schultz, A. A. Low, Elhott C. Cowdin, James M. Brown, Royal Phelps, Heury F. Spaulding, Abram S. Hewitt and Gustav Schwab he and are hereby appointed a committee to proceed to Albany on behalf of the commercial interests of the city and attend bewre the Judiciary Committees of the Senate and Assembly, for the purpose of explaining to them the principal features of the proposed amendments to the Arbitration act, and to arge upon the committees the importance of their early passage by the Legislatura.

Mr. Samuel B. Ruggies, chairman of the Committee on Railway and Canal Legislation, offered the following resolutions, adopted at a late meeting of the Conference on Commercial Facilities, which received the indorsement of the Chamber:—

ing of the Conference on Commercial Facilities, which received the indorsement of the Chamber:—

Resolved, That we deem it of vital necessity to the con.merce of the city and state of New York and the interior States that the trunk canals should be "bottomed out" without delay, to the depth of seven feet, as prescribed by law and recommended by the Governor in his annual message, and that the survey therein proposed to accretain the cost of the work should be made the content of the content management of the canals.

Resolved, that every effort should be made to secure, by law or constitutional amendment, an houest, economical and efficient management of the canals.

Resolved, that copies of these resolutions be sent to the constituent bodies represented in this conference, and that each of them be requested to memorialize the Legislature to the same effect.

Mr. Ruggles, in this connection, reported to the Chamber a condensed statement of the work of the Legislature of the State and of the official action of the canal authorities during the last action of the canal authorities during the coll

ferred to was reserved to the Committee on Revenue Reform.

Captain Snow introduced resolutions asking the Chamber to urge upon the Legislature to speedily pass the act now before it relating to the throwing of ashes and coal cinders into the harbor; also urging upon Congress the necessity of making the \$600,009 appropriation asked for by General Newton to complete the great work of removing the Obstructions at Heil Gate. After discussion the Chamber ordered—first, that the officers memorialize the Legislature and Governor in reserence to the act to prevent the filling up of the harbor with ashes and cinders, and that the committee about to proceed to Albany to give their views on the proposed amendments to the Arbitration act be requested to use their personal influence for the passage of the act. Regarding the Heil Gate appropriation, it was ordered that the officers of the Chamber, together with Jackson S. Schultz and Captain Show, prepare suce a memorial as is demanded by the importunce of the matter and forward it to Congress.

Colonel Conking asked for information in relations

A HANDSOME WHEELER & WILSOM'S SEWING Machine, all complete, with new Goodrich Tucker, cost a few months ago, \$78; will be sold for \$50. Call at 35 Bond street.

A FIRST CLASS DOWN TOWN LIQUOR STORE, day trade, doing a splendid business; rare opportunity; also Froduce and Commission Business, \$25; Boot and Shoe Stores.

MALUNE'S Store Agency, 121 Nassau street. A GOOD LIQUOR STORE FOR SALE-SITUATED in the Fourth ward; or would take a good man as partner. For particulars apply to WILLIAM ABBOTT, to New Bowery.

A CHOF HOUSE RESTAURANT FOR \$50)—BEST stand down town; also Sample Rooms, corner Liquor Stores, Groceries, Tea Stores, Photograph Galeries, Batches, Carlection-price, Tea Stores, downtown Oaf-ing Business, acres, acres, Tea Stores, downtown Caffing Business, acres, Tea Stores, Tea

CHBAP.—A LOT OF HAT STORE FIXTURES CON-latting of Glass Cases, Counters, Gas Fixtures, Looking Glasses, Hat Stands, &c. 319 Biereker street, near Grove.

CAPITAL NEWS.
THE SPECIAL DESPATCHES
WASHINGTON AND ALBANT
EN THE BVENING TELEGRAM.

Daug Store For Sale-NO. 258 SIXTH AVENUE, by order trustees appointed by Supreme Court, price \$2,000: cast terms. Apply at store, or to agent, STRICKLAND, 36 Beekman street.

PANILY GROCERY STORE—ON GRAND STREET

with Stock and Fixtures, for sale, profitable stand
for last thirty years: additionable reasons for selling
terms liberal.

P. RAPPERTY, O Pitt girect. FOR SALE—A SPLENDID CHANGE TO ENGAGE IN
the hat business—One of the oldest Stands in the
city, on the best avenue. Address or call on G. E. A,
New York Dental Rooms, 202 Sixth avenue.

FOR SALE-ONE OF THE BEST BAKERY AND Conjectionery Stores in New Jersey: everything complete. For particulars address H. C., box 229 Heraid office.

POR SALE-A JEWELRY STORE, ESTABLISHED Composition of the stable of the sale of

TOR SALE—ONE OF THE FINEST DISTILLERIES

In the United states; can be bought for one-fifth of
it value, canable of maching 1,000 bushels grain per
day; machinery very extensive; for small cost could be
turned into any kind of manufacturing business; in perfect working order. For turiner information address

L. POWERS & SON, Richmons, Va. POR SALE-ONE OF THE FINEST TEA, COPPER and general Grocery Stores in Brooklyn; full stock; fine flatures; low rent. 235 Smith street, corner facaget. No agents.

FOR SALE-THE FRANKFORT HOUSE RESTAU.
rant, on account of sickness. Apply at the restaurant, No. 222 William street, New York. This hotel has

FOR SALE-FIVE YEARS' LEASE OF THE TWO Buildings 27 and 29 Centre street. Apply in saloon on premises. MATTHEWS & GERKEN. FAMILY MEAT MARKET—A SNUG LITTLE PLACE, doing good business; long lease, cheap rent; Horse and Wagon; a most excellent chance for a man to get a business with small capital. 494 Eighth avenue.

DESTAURANT FOR SALE.—ONE OF THE FINEST Ladies' and gentlemen's Restaurants in the city, doing a large business, for sale cheap, on account of sickness. Call at 112 West Thirty-dirat street. CAFER.—A STOCK OF SECOND HAND SAFES, VA-or rious makes, in good order, and fitted with combina-tion locks, selling low for cash; bargains, AMERICAN SAFE CUMPANY, 320 Broadway.

DEALERS IN MACHINERY, MANUFACTURERS and others needing Printing, can have it done in the best style by the METROPOLITAN PRINTING ESTABLISHMENT, No. 215 Broad way. FOR NALE-VERY LOW, IF APPLIED FOR AT once, several Hoe Rotary Presson, good as new, salitable for newspaper work. Address the New York Herald.

POBERTS & KING, ENGINEERS AND CONTRACT-ora 119 Liberty street.—Steam Engines, Boilers and Pumps adapted for any possible duly, at half usual prices, with guaranty; Machinery bought.

A -DIAMOND TRUST COMPANY, SIT BROADWAY, or corner : welt'th street. - Money advanced on Diamonds, Watches, Jewelry, Silverware, cliks, Camel's Hair Shawls and Laces; same bought and sold; lastice private office.

AT 8) NASSAU STREET—AT THE LOWEST RATES Loans made on Life Policies, Merchandise, Dia monds, Watches, Jewelry, Planot, &c. NEWMAN LEOPOLD. 80 Nassau street, between Fullon and John.

AT WOLF & BROTHERS', 89: BROADWAY, BE-tween Ninelceath and Twentich streets.—Money loaned on Diamonds. Watches, Jeweiry, : ilverware, sikk, particularly Pianos; business confidential. Los concre Hablan Espanoi.

AT HALF THE USUAL CHARGES-MONEY AD-A Vanced on Diamonds, Watches, Jewelry and other Securities. No. 79 Names street, between Futton, and V. MACDUFF & CO. AT HYMAN'S, 710 BROADWAY.—LIBERAL AD vances made on Diamonds, Watches, Silverware, &c., or will pay the highest market price for the same.

A T IT BLEECKER STREET, NEAR BROADWAY.—
Liberal advances upon Diamonds, Watches, Jewelry, Planoa, &c., or the same bought. Also Pawibroker's rickets bought at IT Bleecker street, up stairs.

AT JOSEPH SOLOMON & CO.'S, 134 FULTON street, near Nassau.—Money advanced on Diamonda, Watches, Silver Plate, Silks, Camels Hair Shawis, Antiques and Articles of Virtu; established 1850; private office for ladies. Se habis Espanol. MONEY LOANED ON DIAMONDS, WATCHES, Jewelry and Silverware, and the same bought GEO. C. ALLEN, 1,190 Broadway, near 29th st.

THE METROPOLITAN PRINTING ESTABLISHMENT.

218 Broadway, have unsurpassed facilities for doing all kinds of Printing with unusual promptness and a moderate prices.

403 SIXTH AVENUE, BETWEEN TWENTY.
403 fourth and Twenty-fifth streets.—Liberal advances made on Diamonds, Watches, Jewelry, Sika, Laces and Shawis. Same bought at tall value.

L BERNARD.

918 BROADWAY, NEAR TWENTIETH STREET Liberal advances on Diamonds, Watches, Jewelry, Silver, Laces, India Shawis, &c. Same bought. 1.145 BROADWAY, BETWEEN TWENTY-SIXTH and Twenty-seventh streets.—Money loaned on Diamonds, Watches, Jewelry, Silverware, Silka Pianos, &c.: same bought and soid; parior for ladies; business coufidential.

FOR SALE-STEAMBUAT D. R. MARTIN, NOW A pier 7 East River. For particulars apply to THOMA! F. YOUNGS, 41 South atreet, or S. LIVINGSTON, 21

FOR SALE—A PATENT STEAM LIPE BOAT Launch; dimensions, 26 feet 7 inches long, 6 feet Inches wide and 4 feet 6 inches deep; rotary engine boilers, &c. Address W. HENRY, Herald office.

HERALD ALMANAC, 1875.
YACHT CLUBS AND YACHTS.—The tables under this bead are compiled from the official returns of the secretaries of the principal yacht clubs giving the number and name of each vessel, dimensions, &c. also names of owners and the officers of each club for 1875, furnished specially for the HERALD ALMANAC, only 25c. Mailed free. Sold by all stationers and newsdealers. Address HERALD ALMANAC, New York city

PAMPHLETS OF EVERY DESCRIPTION FUR-nished at moderate prices by the METROPOLITAN PRINTING ESTABLISHMENT, 213 Brondway, N. Y. EXCHANGE.

A BOUT \$500 WORTH OF PURE WINES AND LI-guers, by the bottle or barrel, to exchange for Real Estate. Furniture. Groveries, Jewelry, Clothing or any-thing. Address HENRY, box 100 Herald Uptown Branch office.

CIGARS AND TOBACCO. BARGAIN.-5.000 CIGARS FOR SALE, FINE QUAL-ity, at \$22 per 1,008. H. SCHUMAKER, Cigar Maniacturer, 93 Stanton street.

A CORAL RUBBER SET OF TEETH IN THREE
A hours—impression in the foremon, teeth in the
atternoon. Thirty-fourtn street, near Breadway and
sixtu avenue. Coral rubber, very strong; fiesh colored;
told sets, plating sets, whilebook rubber sets. Flumpers,
open fromts, Lap Latiers, Lap Depressers, therulaters;
altrous oxide; mechanical dentastry. Take green care
from Grand street terry, or Sixth avenue cars, or Broadway cars. Get off as Thirty-fourth street.

NewBROUGH, 128 West Thirty-fourth street.

THE EVENING TELEGRAM,
SPECIAL DESPATCHES
EVERY NIGHT
FROM WASHINGTON AND ALBANY.

THE METROPOLITAN PRINTING ESTABLISHMENT is at 218 Broadway, in the Herald Building.

THE METROPOLITAN PRINTING ESTABLISH MENT, No 218 Brondway, are prepared to do every variety of Printing, Wood Engraving and Lithography at very low rates.

NDESTRUCTIBLE PATENT PLASTERING. - EQUAL to any work in style and finish; stands any ribration; finished at rour days notice; see samples.